

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Please cancel claims 2, 3, 5-8, 18, 19, 22, 24 and 26 without prejudice or disclaimer.

**Listing of Claims:**

1. (cancelled)
2. (cancelled)
3. (cancelled)
4. (cancelled)
5. (cancelled)
6. (cancelled)
7. (cancelled)
8. (cancelled)
9. (cancelled)
10. (previously presented) The lithium secondary battery according to claim 14, wherein said metal foil is formed so as to have a surface pressure of not less than 980 kPa.

11. (previously presented) The lithium secondary battery according to claim 14, wherein said spacer is formed with a metal material having a Young's modulus not less than 170 Gpa.
12. (previously presented) The lithium secondary battery according to claim 14, wherein said spacer is a ring member or a ring member having stopper structure in order that stress of less than a constant amount will be applied to said elastic body.
13. (previously presented) The lithium secondary battery according to claim 14, wherein said metal foil is made of Al, Cu or Ni , said metal foil being coated by fluoride resin.
14. (previously presented) A lithium secondary battery comprising:  
an internal electrode formed by winding a positive electrode and a negative electrode on an outer peripheral wall of a hollow cylindrical winding core;  
a cylindrical battery case containing the internal electrode body inside with both ends thereof being open;  
nonaqueous electrolyte solution contained in said case and contacting said positive electrode and said negative electrode; and  
electrode caps having battery caps, internal terminals, and external terminals, said battery caps sealing said internal electrode body at both open ends of the battery case, at least one of said battery caps having a pressure release hole in a position corresponding with a center axis of said winding core,  
wherein a pressure release valve is disposed on an internal peripheral wall of said pressure release hole or at the end of said pressure release hole, said pressure release valve

comprising an elastic body, a metal foil and a spacer, said elastic body and said metal foil being brought into pressure contact with said spacer to seal said battery case, and wherein stress applied to said elastic body is not less than 980 kPa and not more than a force at which said elastic body maintains elasticity of not less than 95%.

15. (previously presented) The lithium secondary battery according to claim 14, wherein said elastic body is packing processed in advance to a predetermined size.

16. (original) The lithium secondary battery according to claim 15, wherein said packing is made of ethylene propylene rubber, polyethylene, polypropylene or fluoride resin.

17. (cancelled)

18. (cancelled)

19. (cancelled)

20. (cancelled)

21. (previously presented) The lithium secondary battery according to claim 14, which has a battery capacity of not less than 2 Ah.

22. (cancelled)

23. (previously presented) The lithium secondary battery according to claim 14, which is a battery to be mounted on vehicles.

24. (cancelled)

25. (original) The lithium secondary battery according to claim 23, which is for an engine starter.

26. (cancelled)

27. (original) The lithium secondary battery according to claim 23, which is used in an electric vehicle or a hybrid electric vehicle.

28. (previously presented) A method of manufacturing a lithium secondary battery, which comprises:

preparing plate-like members functioning as caps after production, elastic bodies, metal foils and spacers which are processed in advance to a predetermined size;

disposing each said elastic body and each said metal foil in predetermined positions;

combining each said elastic body and each said metal foil with a said spacer to form a pressure release hole unit;

fitting each said pressure release hole unit into a said plate-like member to produce electrode caps;

positioning an internal electrode body in a battery case; and

sealing the battery case with said electrode caps,

wherein stress applied to said elastic body is not less than 980 kPa and not more than a force at which said elastic body maintains elasticity of not less than 95%.